



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5426

by Rep. John M. Cabello

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-31.1-9a new

Amends the Illinois Municipal Code. Provides that if a property owner is cited with a code violation and the remedy renders the property uninhabitable, the hearing department shall provide the owner with an emergency hearing in front of a hearing officer within 7 days of when the building inspector reported the violation. Requires a hearing officer to immediately lift the order condemning the property after the hearing unless he or she finds the alleged code violation to exist and pose an immediate safety hazard to the occupants of the property. Provides that a municipality may impose remedies for sanctions other than prohibition of occupancy.

LRB098 19139 JLK 54291 b

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Municipal Code is amended by adding
5 Section 11-31.1-9a as follows:

6 (65 ILCS 5/11-31.1-9a new)

7 Sec. 11-31.1-9a. Emergency hearings. If a property owner is
8 cited with a code violation and the remedy is to render the
9 building uninhabitable, the hearing department shall provide
10 the owner with an emergency hearing and an opportunity to be
11 heard before a hearing officer within 7 days of when a building
12 inspector reported the violation. At the hearing, unless the
13 hearing officer finds the alleged code violation to exist and
14 pose an immediate safety hazard to the occupants of the
15 property, the hearing officer shall immediately lift the order
16 rendering the building uninhabitable.

17 Nothing in this Section shall prohibit a municipality from
18 imposing remedies for sanctions other than prohibition of
19 occupancy.